

**431.068 Use of alcohol monitoring device as condition of pretrial release.**

When considering the pretrial release of a person whose pretrial risk assessment indicates he or she is a moderate-risk or high-risk defendant, the court considering the release may order as a condition of pretrial release that the person use an alcohol monitoring device during all or part of the person's period of pretrial release. All costs associated with the alcohol monitoring device, including administrative and operating costs, shall be paid by the defendant. As used in this section, "alcohol monitoring device" means an electronic device that:

- (1) Tests for alcohol concentration level through scheduled, random, continuous, or on-demand testing;
- (2) Detects and records tampering attempts; and
- (3) Transmits the data by means of either a telephone line or cellular uplink, or records the data for retrieval through methods approved by the court.

**Effective:** July 15, 2014

**History:** Created 2014 Ky. Acts ch. 141, sec. 1, effective July 15, 2014.